

**UNITED STATES DEPARTMENT OF COMMERCE****United States Patent and Trademark Office**

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
09/247,054	02/09/99	ANTONIOU	CACO-0045

WOODCOCK WASHBURN KURTZ  
MACKIEWICZ AND NORRIS  
ONE LIBERTY PLACE  
46TH FLOOR  
PHILADELPHIA PA 19103

HZ12/0426

EXAMINER
BAKER, A

ART UNIT	PAPER NUMBER
1632	

DATE MAILED: 04/26/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

## Interview Summary

Application No.  
09/247,054

Applicant(s)  
Antoniou et al.

Examiner  
Anne-Marie Baker, Ph.D.

Group Art Unit  
1632



All participants (applicant, applicant's representative, PTO personnel):

(1) Anne-Marie Baker, Ph.D.

(3) \_\_\_\_\_

(2) Doreen Yatko Trujillo

(4) \_\_\_\_\_

Date of Interview Apr 25, 2001

Type: a) ☒ Telephonic      b) ☐ Video Conference  
c) ☐ Personal [copy is given to 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes      e) ☒ No. If yes, brief description:

Claim(s) discussed: 1-21, 23, and 24

Identification of prior art discussed:  
Safaya et al. (1994)

Agreement with respect to the claims f) ☐ was reached. g) ☒ was not reached. h) ☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments:

The Examiner left a message for the attorney indicating that she would like to discuss some potentially allowable subject matter. Several claims have been indicated as allowable. However, with regard to the remaining claims, a 1994 reference which discloses the use of an LCR in a plasmid came to the attention of the Examiner after the interview of 12/12/00. The addition of the LCR to the plasmid construct resulted in increased promoter activity. During the interview Applicants argued that it would not have been obvious to use an LCR in an episome because LCRs had always been used in the context where they are integrated into the chromosome. However, the new reference disputes this assertion. The Examiner indicated that she would like to discuss the case with the attorney in light of this new reference to see if some agreement can be made regarding the allowable subject matter. The claims that have been indicated as allowable are still allowable.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

i) ☒ It is not necessary for applicant to provide a separate record of the substance of the interview (if box is checked).

Unless the paragraph above has been checked, THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN ONE MONTH FROM THIS INTERVIEW DATE TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached

*Anne-Marie Baker*  
ANNE-MARIE BAKER  
PATENT EXAMINER

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.